

The applicants respectfully disagree with the Examiner's statements regarding the so-called "priority date claim objections." As stated in response to the previous Office Action, this application claims priority to three different provisional applications and has incorporated by reference the disclosures of such provisional applications. Thus, with respect to the subject matter disclosed in each of the provisional applications, this application is entitled to each of the claimed priority dates. Furthermore, as noted by the Examiner, the so-called "priority date claim objections" are moot in light of the cited references.

The Examiner objected to certain alleged informalities in the language of Claims 1 and 2. Specifically, the Examiner stated that the phrase "gathering data in a plurality of different computer databases" should be amended to read "gathering data from a plurality of different computer databases." These objections are respectfully traversed. It is submitted that the existing language of Claims 1 and 2 is clear and unambiguous and, therefore, amendment of such claims is neither necessary or desirable.

The Examiner rejected independent Claim 1 as being obvious in view of the combined teachings of the McKay et al. and Huff references. This rejection is respectfully traversed.

Independent Claim 1 defines the invention as a method of generating information regarding the quality of performance of a plurality of suppliers that each supply products to a vendor. Initially, data regarding the quality of performance of the plurality of suppliers in a plurality of different computer databases is gathered. The gathered data from the plurality of different computer databases is stored in a central controller. The stored data in the central controller is converted into a single database. Lastly, the single database is utilized to generate information regarding the quality of performance of the plurality of suppliers.

As noted by the Examiner, the McKay et al. reference does not show or suggest a method wherein data regarding the quality of performance of the plurality of suppliers in a plurality of different computer databases is gathered, as specifically recited in independent Claim 1. Rather, as described in Paragraph [0028] of the

McKay et al. reference, "audit data is extracted from these audit reports and stored in supplier quality performance database 128 by the quality information network tool for rating purposes." Consequently, the McKay et al. system does not gather "data regarding the quality of performance of the plurality of suppliers in a plurality of different computer databases" as specifically recited in independent Claim 1.

The Examiner relies upon the Huff reference to address this shortcoming. However, the Huff reference is non-analogous art to the claimed invention and to the McKay et al. reference. Therefore, the disclosure of the Huff reference should not be considered at all when evaluating the patentability of the claimed invention.

As set forth in Section 2141.01(a) of the MPEP, a reference must either be (1) in the field of the applicant's endeavor or (2) reasonably pertinent to the particular problem with which the inventor was concerned. With respect to the latter test, a reference is reasonably pertinent if, even though it may be in a different field from that of the inventor's endeavor, it is one which, because of the matter with which it deals, logically would have commended itself to an inventor's attention in considering his problem.

With respect to the first leg of this test for analogous art, the field of the Huff reference (namely, a genealogy registry system) is quite different from the field of the claimed invention (namely, a method of generating information regarding the quality of performance of a plurality of suppliers that each supply products to a vendor). Thus, the field of the Huff reference is clearly not within the field of the claimed invention.

With respect to the second leg of this test for analogous art, the problems addressed by the Huff reference (namely, the difficulties associated with genealogical research through thousands of relatively large public record sets in non-lineage-linked format, plus millions of small collections of lineage-linked names) are quite different from the problems addressed by the claimed invention (namely, the difficulties associated with effectively, reliably, and efficiently communicating quality performance information between vendor and a plurality of suppliers). Thus, the Huff

reference is clearly non-analogous art to the claimed invention and, therefore, should not be considered at all when evaluating the patentability of the claimed invention.

Additionally, however, even if the disclosure of the Huff reference is properly considered, the claimed invention would not have been obvious to a person having ordinary skill in the art. As mentioned above, the McKay et al. system does not gather "data regarding the quality of performance of the plurality of suppliers in a plurality of different computer databases" as specifically recited in independent Claim 1. The Huff reference discloses that genealogical data from a plurality of sources can be collected, reviewed, and displayed. However, the combined teachings of the McKay et al. and Huff references does not yield a method or system that (a) gathers data regarding the quality of performance of the plurality of suppliers in a plurality of different computer databases; (b) stores the gathered data from the plurality of different computer databases in a central controller; (c) converts the stored data in the central controller into a single database; and (d) utilizes the single database to generate information regarding the quality of performance of the plurality of suppliers, as specifically recited in independent Claim 1. Thus, the claimed invention is clearly patentable over the combined teachings of the McKay et al. and Huff references.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard S. MacMillan", written over a horizontal line.

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